



Our Ref.:51876.P224

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hyung-Chul Kim, Sung-Ho Ahn, Min-Gyu
Kang, Doo-Hyeon Kim and Seung-Ku Hwang

Application No.: 09/752,667

Filed: December 28, 2000

For: METHOD FOR PROVIDING
VARIABLE BIT RATE IN
STREAMING SERVICE

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

In response to the communication from the Patent Office dated February 9, 2001, on the above-referenced utility patent application, enclosed herewith are a copy of the Notice, a substitute specification in compliance with 37 CFR 1.52. Also submitted concurrently herewith are substitute drawings in compliance with 37 CFR 1.84.

Please charge any additional fees to Deposit Account No. 02-2666. A duplicate of this sheet is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: _____

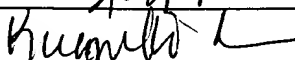
3/23/01


Eric S. Hyman Reg. No. 30,139

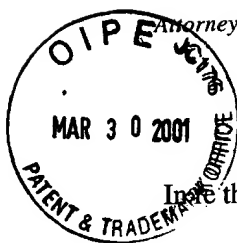
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Los Angeles, California 90025
(310) 207-3800

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on: 3/23/01


Kumiko Alexander

Date



Attorney Docket No.: 051876.P224

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

HYUNG-CHUL KIM, ET AL.

Application No.: 09/752,667

Filed: December 28, 2000

For: **method for providing variable bit rate in streaming service - UTILITY**

Art Group:

Examiner:

Assistant Commissioner for Patents
BOX ISSUE FEE
Washington, D.C. 20231

TRANSMITTAL OF FORMAL DRAWINGS

Sir:

Enclosed herewith for filing in the above-identified U.S. Patent Application are the formal drawings, 7 sheets including 7 Figures. Applicant hereby authorizes any additional extension or petition fees under 37 C.F.R. §1.17 or credit for any overpayment to our Deposit Account No. 02-2666. A copy of the Fee Transmittal sheet is enclosed.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Eric S. Hyman, Reg. No. 30,139

Dated: _____

3/23/01

12400 Wilshire Blvd., 7th Floor
Los Angeles, California 90025
Telephone: (310) 207-3800

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3/23/01

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Date



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

Shinsung Int'l Patent & Law

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/752,667	12/28/2000	Hyung-Chul Kim	51876p224

CONFIRMATION NO. 9386

08791

BLAKELY SOKOLOFF
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES, CA 90025

RECEIVED
FEB 27 2001

ENTERED

FEB 27 2001

FORMALITIES LETTER

OC00000005751507

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
LOS ANGELES

STATUS DB-LA

Date Mailed: 02/09/2001

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- o A substitute specification in compliance with 37 CFR 1.52 because:
 - o Papers contain improper margins. *Each sheet must have a left margin of at least 2.5 cm (1") and top, bottom and right margins of at least 2.0 cm (3/4")*
 - o Line spacing on the specification, claims, or abstract is not 1-1/2 or double spaced (See 37 CFR 1.52(b)).
 - o The specification cannot be scanned or properly stored. Page(s)
 - o Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 1-25 are not in compliance with 37 CFR 1.52(a).
- o Substitute drawings in compliance with 37 CFR 1.84 because:
 - o drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-

shiny, and durable (see 37 CFR 1.84(e));

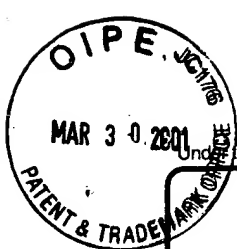
A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



H.A. Section 0300 #3

Approved for use through 19/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

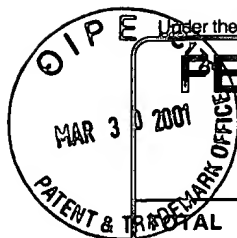
TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/752,667
		Filing Date	December 28, 2000
		First Named Inventor	Hyung-Chul Kim
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	38	Attorney Docket Number	51876P224

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div>return postcard; substitute specification (25 pages); formal drawings transmittal</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eric S. Hyman, Reg. No. 30,139 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
Signature	
Date	3/23/01

CERTIFICATE OF MAILING			
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Typed or printed name	Kumiko, Alexander		
Signature		Date	3/23/01

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FEE TRANSMITTAL

for FY 2001

Petent fees are subject to annual revision.

PTO/SB/17 (09-00)
Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Complete if Known	
Application Number	09/752,667
Filing Date	12/28/00
First Named Inventor	Hyung-Chul Kim, et al.
Examiner Name	
Group Art Unit	
Attorney Docket Number	51876P224

TOTAL AMOUNT OF PAYMENT	(\$)
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METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																								
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: 02-2666</p> <p>Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>	<p>3. ADDITIONAL FEE</p> <table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Small Entity Fee Code</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105</td><td>130 205</td><td>65 Surcharge - late filing fee or oath</td><td></td></tr><tr><td>127</td><td>50 227</td><td>25 Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr><tr><td>139</td><td>130 139</td><td>130 Non-English specification</td><td></td></tr><tr><td>147</td><td>2,520 147</td><td>2,520 For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>112</td><td>920 112</td><td>920 Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1,840 113</td><td>1,840 Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115</td><td>110 215</td><td>55 Extension for response within first month</td><td></td></tr><tr><td>116</td><td>390 216</td><td>195 Extension for response within second month</td><td></td></tr><tr><td>117</td><td>890 217</td><td>445 Extension for response within third month</td><td></td></tr><tr><td>118</td><td>1,390 218</td><td>695 Extension for response within fourth month</td><td></td></tr><tr><td>128</td><td>1,890 228</td><td>945 Extension for response within fifth month</td><td></td></tr><tr><td>119</td><td>310 219</td><td>155 Notice of Appeal</td><td></td></tr><tr><td>120</td><td>310 220</td><td>155 Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>270 221</td><td>135 Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510 138</td><td>1,510 Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110 240</td><td>55 Petition to revive - unavoidably</td><td></td></tr><tr><td>141</td><td>1,240 241</td><td>620 Petition to revive - unintentionally</td><td></td></tr><tr><td>142</td><td>1,240 242</td><td>620 Utility issue fee (or reissue)</td><td></td></tr><tr><td>143</td><td>440 243</td><td>220 Design issue fee</td><td></td></tr><tr><td>144</td><td>600 244</td><td>300 Plant issue fee</td><td></td></tr><tr><td>122</td><td>130 122</td><td>130 Petitions to the Commissioner</td><td></td></tr><tr><td>123</td><td>50 123</td><td>50 Petitions related to provisional applications</td><td></td></tr><tr><td>126</td><td>180 126</td><td>180 Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>581</td><td>40 581</td><td>40 Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146</td><td>710 246</td><td>355 Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr><tr><td>149</td><td>710 249</td><td>355 For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td>179</td><td>710 279</td><td>355 Request for Continued Examination (RCE)</td><td></td></tr><tr><td>169</td><td>900 169</td><td>900 Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="4">Other fee (specify) _____</td></tr></tbody></table>	Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid	105	130 205	65 Surcharge - late filing fee or oath		127	50 227	25 Surcharge - late provisional filing fee or cover sheet.		139	130 139	130 Non-English specification		147	2,520 147	2,520 For filing a request for <i>ex parte</i> reexamination		112	920 112	920 Requesting publication of SIR prior to Examiner action		113	1,840 113	1,840 Requesting publication of SIR after Examiner action		115	110 215	55 Extension for response within first month		116	390 216	195 Extension for response within second month		117	890 217	445 Extension for response within third month		118	1,390 218	695 Extension for response within fourth month		128	1,890 228	945 Extension for response within fifth month		119	310 219	155 Notice of Appeal		120	310 220	155 Filing a brief in support of an appeal		121	270 221	135 Request for oral hearing		138	1,510 138	1,510 Petition to institute a public use proceeding		140	110 240	55 Petition to revive - unavoidably		141	1,240 241	620 Petition to revive - unintentionally		142	1,240 242	620 Utility issue fee (or reissue)		143	440 243	220 Design issue fee		144	600 244	300 Plant issue fee		122	130 122	130 Petitions to the Commissioner		123	50 123	50 Petitions related to provisional applications		126	180 126	180 Submission of Information Disclosure Stmt		581	40 581	40 Recording each patent assignment per property (times number of properties)		146	710 246	355 Filing a submission after final rejection (37 CFR 1.129(a))		149	710 249	355 For each additional invention to be examined (37 CFR 1.129(b))		179	710 279	355 Request for Continued Examination (RCE)		169	900 169	900 Request for expedited examination of a design application		Other fee (specify) _____			
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<p>2. CLAIMS</p> <table border="1"><thead><tr><th>Total Claims</th><th>Extra</th><th>Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>7</td><td></td><td></td><td></td></tr><tr><td>2</td><td></td><td></td><td></td></tr></tbody></table> <p>Multiple Dependent Claims</p> <table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Small Entity Fee Code</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>103</td><td>18 203</td><td>9 Claims in excess of 20</td><td></td></tr><tr><td>102</td><td>80 202</td><td>40 Independent claims in excess of 3</td><td></td></tr><tr><td>104</td><td>270 204</td><td>135 Multiple Dependent claim</td><td></td></tr><tr><td>109</td><td>80 209</td><td>40 Reissue independent claims over original patent</td><td></td></tr><tr><td>110</td><td>18 210</td><td>9 Reissue claims in excess of 20 and over original patent</td><td></td></tr></tbody></table> <p>SUBTOTAL (2) (\$)</p> <p><i>*or number previously paid, if greater, For Reissues, see above</i></p>	Total Claims	Extra	Fee from below	Fee Paid	7				2				Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid	103	18 203	9 Claims in excess of 20		102	80 202	40 Independent claims in excess of 3		104	270 204	135 Multiple Dependent claim		109	80 209	40 Reissue independent claims over original patent		110	18 210	9 Reissue claims in excess of 20 and over original patent																																																																																						
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SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Eric S. Hyman, Reg. No. 30,139	Reg. Number	
Signature		Deposit Account User ID	02-2666
Date	3/6/01		

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